

REMARKS

Applicant thanks Examiner Blanco for the courtesy shown during the telephonic interview of January 7, 2009. During the interview, Applicant asserted the lack of disclosure in Duran and DiMatteo for heat welding and/or applying a series of heat welds. For example, DiMatteo discloses a process of heat setting which may destroy the entire bioactivity for the liners. Applicant respectfully asserted that a series of heat welds limited such destruction to those areas of attachment using heat welds. However, no agreement was reached.

In the Notice of Non-Responsive Amendment mailed October 10, 2008, the Examiner asserted that the claims were drawn to non-elected species (namely the embodiment shown in FIG. 27). The Examiner points to the Election dated January 31, 2005, in which the Applicant elected the valve prosthesis species SR (FIG. 48) with traverse. The Applicant notes that both species of the valve prosthesis are similar and use similar reference numerals to describe their respective components. Nevertheless, Applicant has provided new claims to focus on certain embodiments within the election. With entry of the present Amendment and Response, claims 29 - 45 are pending; claims 2, 3, and 11 are withdrawn. Claims 1, 4 - 10, 12 - 28 are cancelled. New claims 29 - 45 are presented.

Support for the new claims is found in the specification as originally filed, and may be discussed with reference to paragraph numbers in the corresponding published US patent application US 2004/0210301 A1 (published October 21, 2004). Examples of support in the specification include the following: recitation of "a constraining mechanism" and various embodiment thereof includes paragraphs [0085] - [0086]; and support for the recitation of a biomaterial comprising elastin or an elastin-like polypeptide

includes paragraph [0067]. The above cited examples provide representative support in the specification for the amendments and new claims presented above. No new matter is added.

Conclusion

Applicants request prompt examination of the claims of this application on the merits. If the Examiner has any further questions, the Examiner is respectfully invited to telephone the undersigned attorney.

Respectfully submitted,



M. Daniel Spillman
Attorney Reg. No. 61,824

BRINKS HOFER GILSON & LIONE
CUSTOMER NO. 48004

Telephone: 317-636-0886
Facsimile: 317-634-6701